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EXAMINER

GOODCHILD, WILLIAM J

ART UNIT	PAPER NUMBER
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2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/662,059

Applicant(s)

LEWONTIN, STEPHEN PAUL

Examiner

William J. Goodchild

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 9, 11-12 and 24-25 are objected to for the following informalities:

Claim 9, line 3, the phrase "a reproduction" has been defined in claim 7, line 3, it is unclear if this is the same reproduction or a new definition of "a reproduction".

Claim 11, line 2, the phrase "a reproduction" has been defined in claim 7, line 3, it is unclear if this is the same reproduction or a new definition of "a reproduction".

Claim 24, line 2, the phrase "a variant portion" has been defined in claim 23, line 4, it is suggested to change the phrase to --the variant portion--, in order to improve the clarity of the claim language.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-29 are rejected under 35 U.S.C. 101 because the claimed invention lacks patentable utility.

Claims 1-29 are drawn towards a method, system or article of manufacture comprising: forming and transmitting a reduced message. In accordance with Applicant's specification (page 18, paragraph 0071, Instructions can exist permanently or temporarily in any transmitting medium. The transmitting mediums include wireless or radio wave communications networks, satellite communications and any other stationary or mobile network system or communication links) the transmission media may be an electromagnetic signal. This subject matter is not limited to that which falls within a statutory category of invention because it is not limited to a process, machine, manufacture, or a composition of matter. Instead, it includes a form of energy. Energy does not fall within a statutory category since it is clearly not a series of steps or acts to constitute a process, not a mechanical device or combination of mechanical devices to constitute a machine, not a tangible physical article or object which is some form of matter to be a product and constitute a manufacture, and not a composition of two or more substances to constitute a composition of matter

Double Patenting

3. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

4. Claims 1-4 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-2, 4 of copending Application No. 10/819,711. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

5. Claim 17 is provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 36 of copending Application No. 10/819,711. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

6. Claim 21 is provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 21 of copending Application No. 10/819,711. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 7, 11-13, 15-17, 19-21 and 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Multer et al. (US Application No. 2002/0040369).

In reference to claim 1, Multer et al. teaches a method comprising:

forming a reduced message at a first network entity based on at least a variant portion of a Web service message, (Paragraph 0047, Paragraph 0067, lines 1-5 and Figure 8, The difference information is the variant portion of the data),

the Web service message including a data set targeted for processing on a second network entity, (Paragraph 0068, lines 1-3);

sending the reduced message targeted for the second network entity via a network, (Paragraph 0067, lines 1-5, Figure 8); and

processing the data set at the second network entity based on the reduced message, (Paragraph 0067, lines 1-5, Figure 9).

In reference to claim 7, Multer et al. teaches the method of claim 1 further comprising:

processing the data set at the second network entity based on the reduced message comprises:

forming a reproduction of the Web service message based on the reduced message, (Paragraph 0047, Paragraph 0067, lines 1-5 and Figure 8, The difference information is the variant portion of the data); and

processing the reproduction of the Web service message at the second network entity, (Paragraph 0047).

In reference to claim 11, Multer et al. teaches the method of claim 7 further comprising:

the reference data comprises a reference to a data store containing criteria for creating a reproduction of the invariant portion, (Paragraph 0085).

In reference to claim 12, Multer et al. teaches the method of claim 11 further comprising:

the reference to the data store comprises a Universal Resource Identifier (URI), (Multer, Paragraph 0217, lines 4-6).

In reference to claim 13, Multer et al. teaches a messaging system comprising:
a first data processing arrangement coupled to transmit a reduced message based on at least a variant portion of a Web service message, (Paragraph 0047, Paragraph 0067, lines 1-5 , Paragraph 0070 and Figure 8, The difference information is the variant portion of the data),

the Web service message defining a set of data targeted for processing on a data processing arrangement, (Paragraph 0068, lines 1-3);

a message processing arrangement coupled to receive the reduced message and transmit a reproduction of the Web service message based on the reduced message, (Paragraph 0066, lines 6-8, Paragraph 0068, lines 6-16); and

a second data processing arrangement coupled to receive the reproduction of the Web service message and process the set of data based on the reproduction of the

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Web service message, (Paragraph 0066, lines 6-8, Paragraph 0068, lines 6-16, Paragraph 0070).

In reference to claim 15, Multer et al. teaches the messaging system of claim 13 wherein:

the message processing arrangement includes a third data processing arrangement coupled to the first and second data processing arrangements via a network, (Paragraph 0065, lines 7-15, Paragraph 0066, lines 1-2, Paragraph 0070 and Figure 8).

In reference to claim 16, Multer et al. teaches the messaging system of claim 13 wherein:

the message processing arrangement includes a message processing module operable on the second data processing arrangement, (Paragraph 0065, lines 7-15, Paragraph 0066, lines 1-2, Paragraph 0070, Figure 8).

In reference to claim 17, Multer et al. teaches a messaging system comprising:
first data processing means for transmitting a Web service message,
the Web service message including a variant portion and a data set targeted for processing at one or more data processing means, (Paragraph 0047, Paragraph 0067, lines 1-5, Paragraph 0070 and Figure 8, The difference information is the variant portion of the data);

message processing means for receiving the Web service message and transmitting a reduced message based on at least the variant portion of the Web service message, (Paragraph 0066, lines 6-8, Paragraph 0068, lines 6-16);

second data processing means for receiving the reduced message and processing the data set of the Web service message based on the reduced message, (Paragraph 0066, lines 6-8, Paragraph 0068, lines 6-16, Paragraph 0070).

In reference to claim 19, Multer et al. teaches the messaging system of claim 17 wherein:

the second data processing means is further configured for forming a reproduction of the Web service message based on the reduced message and transmitting the reproduction of the Web service message, (Paragraph 0052, lines 2-19 and Figure 5),

the messaging system further comprising third data processing means for receiving the reproduction of the Web service message and processing the data set of the Web service message based on the reproduction of the Web service message, (Paragraph 0225 and Figure 15).

In reference to claim 20, Multer et al. teaches the messaging system of claim 17 wherein:

means for storing a criteria accessible by the message processing means,

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the criteria used by the message processing means for forming the reduced message based at least on the variant portion of the Web service message, (Paragraph 0047).

In reference to claim 21, Multer et al. teaches a system comprising:

a memory capable of storing at least one of a messaging module and a Web services processing module;

a processor coupled to the memory, (Paragraph 0063 and Figure 8 show a computer and PDA, each comprise one or more processor's and memory) and

configured by the messaging module to form outgoing reduced messages targeted for the network element based on at least variant portions of Web service messages generated at the Web services processing module, (Paragraph 0047, Paragraph 0066, lines 6-8, Paragraph 0068, lines 6-16),

the processor further configured by the messaging module to form reproduced Web service messages targeted for the Web services processing module based on incoming reduced messages from the network element, (Paragraph 0047, Paragraph 0055, lines 1-5, Paragraph 0057, lines 1-9 and Paragraph 0062, the difference data is synced to the server from one of the end units, such as a PC and then synced from the server to a second end unit such as a PDA); and

a transceiver configured to facilitate exchange of the incoming and outgoing reduced messages with the network element, (Paragraph 0053, lines 1-5).

In reference to claim 27, Multer et al. teaches a system comprising:

means for receiving a reduced message based on at least a variant portion of a Web service message originating from a first terminal and targeted for a second terminal, (Paragraph 0047, Paragraph 0066, lines 6-8, Paragraph 0068, lines 6-16);

means for forming a reproduction of the Web service message based on the reduced message, (Paragraph 0067, lines 1-5, Figure 9); and

means for sending the reproduction of the Web service message to the second terminal, (Paragraph 0067, lines 1-5, Figure 9).

In reference to claim 28, Multer et al. teaches the system of claim 27 further comprising:

means for accessing a data store containing criteria for forming the reproduction of the Web service message based on the reduced message, (Paragraph 0085).

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-2, 7, 13-14, 17-18, 21-27 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Polan et al. (US Publication No. 2004/0064484).

In reference to claim 1, Polan et al. teaches a method comprising:
forming a reduced message at a first network entity based on at least a variant portion of a Web service message, (Paragraph 0025),
the Web service message including a data set targeted for processing on a second network entity, (Paragraph 0026, lines 1-4);
sending the reduced message targeted for the second network entity via a network, (Paragraph 0026, lines 5-10); and
processing the data set at the second network entity based on the reduced message, (Paragraph 0022, lines 1-7).

In reference to claim 2, Polan et al. teaches the method of claim 1 further comprising:
the Web service message comprises a SOAP message, (Paragraph 0021, lines 13-16 and Paragraph 0026, lines 5-10).

In reference to claim 7, Polan et al. teaches the method of claim 1 further comprising:
processing the data set at the second network entity based on the reduced message comprises:
forming a reproduction of the Web service message based on the reduced message, (Paragraph 0027, lines 3-4); and

processing the reproduction of the Web service message at the second network entity, (Paragraph 0027, lines 3-14).

In reference to claim 13, Polan et al. teaches a system comprising:

a first data processing arrangement coupled to transmit a reduced message based on at least a variant portion of a Web service message, (Paragraph 0025, Paragraph 0021 and Figure 2),

the Web service message defining a set of data targeted for processing on a data processing arrangement, (Paragraph 0026, lines 1-4);

a message processing arrangement coupled to receive the reduced message and transmit a reproduction of the Web service message based on the reduced message, (Paragraph 0026, lines 5-10); and

a second data processing arrangement coupled to receive the reproduction of the Web service message and process the set of data based on the reproduction of the Web service message, (Paragraph 0022, lines 1-7).

In reference to claim 14, Polan et al. teaches the system of claim 13 further comprising:

the Web service message includes a SOAP message, (Paragraph 0021, lines 13-16 and Paragraph 0026, lines 5-10).

In reference to claim 17, Polan et al. teaches a method comprising:

first data processing means for transmitting a Web service message,
the Web service message including a variant portion and a data set targeted for processing at one or more data processing means, (Paragraph 0025, Paragraph 0021 and Figure 2);

message processing means for receiving the Web service message and transmitting a reduced message based on at least the variant portion of the Web service message, (Paragraph 0026, lines 1-10);

second data processing means for receiving the reduced message and processing the data set of the Web service message based on the reduced message, (Paragraph 0022, lines 1-7).

In reference to claim 18, Polan et al. teaches the method of claim 17 further comprising:

the Web service message includes a SOAP message, (Paragraph 0021, lines 13-16 and Paragraph 0026, lines 5-10).

In reference to claim 21, Polan et al. teaches a method comprising:

a memory capable of storing at least one of a messaging module and a Web services processing module, (Paragraph 0017, lines 2-3, a computer system includes memory and a processing module);

a processor coupled to the memory and configured by the messaging module to form outgoing reduced messages targeted for the network element based on at least

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variant portions of Web service messages generated at the Web services processing module, (Paragraph 0017, lines 2-3, a computer system includes memory and a processing module, Paragraph 0025, Paragraph 0021 and Figure 2),

the processor further configured by the messaging module to form reproduced Web service messages targeted for the Web services processing module based on incoming reduced messages from the network element, (Paragraph 0026, lines 1-10); and

a transceiver configured to facilitate exchange of the incoming and outgoing reduced messages with the network element, (Paragraph 0017, lines 7-10).

In reference to claim 22, Polan et al. teaches the method of claim 21 further comprising:

the Web service messages include SOAP messages, (Paragraph 0021, lines 13-16 and Paragraph 0026, lines 5-10).

In reference to claim 23, Polan et al. teaches a method comprising:
comprising:

forming a reduced message based on at least a variant portion of a Web service message, (Paragraph 0025, Paragraph 0021 and Figure 2),

the Web service message including a data set targeted for processing on the remote data processing arrangement, (Paragraph 0017, lines 2-3, a computer system includes memory and a processing module, Paragraph 0025, Paragraph 0021

and Figure 2);

sending the reduced message targeted for the remote data processing arrangement, (Paragraph 0017, lines 2-3, a computer system includes memory and a processing module, Paragraph 0025, Paragraph 0021 and Figure 2); and

receiving a response message from the remote data processing arrangement in response to the reduced message, (Paragraph 0021, lines 13-16, HTTP communications over TCP require a response message acknowledging receiving the data).

In reference to claim 24, Polan et al. teaches the method of claim 23 further comprising:

the response message comprises a reduced response message based on at least a variant portion of a Web service response message generated by the remote data processing arrangement, (Paragraph 0017, lines 2-3, a computer system includes memory and a processing module, Paragraph 0025, Paragraph 0021 and Figure 2).

In reference to claim 25, Polan et al. teaches the method of claim 24 further comprising:

forming a reproduction of the Web service response message based on the reduced response message, (Paragraph 0026, lines 1-10); and

processing the reproduction of the Web service response message, (Paragraph 0022, lines 1-7).

In reference to claim 26, Polan et al. teaches the method of claim 23 further comprising:

the Web service message comprises a SOAP message, (Paragraph 0021, lines 13-16 and Paragraph 0026, lines 5-10).

In reference to claim 27, Polan et al. teaches a method comprising:

means for receiving a reduced message based on at least a variant portion of a Web service message originating from a first terminal and targeted for a second terminal, (Paragraph 0017, lines 2-3, a computer system includes memory and a processing module, Paragraph 0025, Paragraph 0021 and Figure 2);

means for forming a reproduction of the Web service message based on the reduced message, (Paragraph 0026, lines 1-10); and

means for sending the reproduction of the Web service message to the second terminal, (Paragraph 0022, lines 1-7).

In reference to claim 29, Polan et al. teaches the method of claim 27 further comprising:

the Web service message comprises a SOAP message, (Paragraph 0021, lines 13-16 and Paragraph 0026, lines 5-10).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 3, 4-6, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Multer et al. (US Patent Application No. 2002/0040369) in view of Kuznetsov (US Patent No. 6,772,413).

In reference to claims 3 and 4-6, Multer et al. teaches the limitations as disclosed in claim 1,

wherein claim 5 further comprises:

the reference data comprises a reference to a data store containing criteria for creating a reproduction of the invariant portion, (Multer, Paragraph 0046, lines 12-14 and Paragraph 0066, lines 1-11 and Figure 8).

and wherein claim 6 further comprises:

the reference to the data store comprises a Universal Resource Identifier (URI), (Multer, Paragraph 0217, lines 4-6).

Multer explicitly teaches the limitations as disclosed above except for the limitations of:

forming the reduced message comprises forming reference data based on an invariant portion of the Web service message and including the reference data in the reduced message.

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The general concept of transferring a variant and invariant portion of a web service message, is well known within the art as illustrated by Kuznetsov which discloses the use of using web services to transfer data, (Kuznetsov , column 12, lines 56-62), and falls within the realm of common knowledge as obvious design optimization.

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Multer to include the use of transferring a variant and invariant portion of a web service message as taught by Kuznetsov in order to make use of the well known concept of transferring a variant and invariant portion of a web service message as stated in claim 3.

In addition, in reference to claim 4, which further comprises:

the reference data comprises a binary representation of the invariant portion.

The general concept of a binary representation of the data, is well known within the art as illustrated by Kuznetsov which discloses the use of binary representation of the data, (Kuznetsov , column 17, lines 59-63), and falls within the realm of common knowledge as obvious design optimization and to increase data transfer during network element connections.

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Multer to include the use of binary representation of the data as taught by Kuznetsov in order to make use of the well known concept of binary representation of the data as stated in claim 4.

In reference to claim 8, Multer teaches the method as disclosed in claim 7:

Multer explicitly teaches the limitations as disclosed above except for the limitations of:

forming the reduced message comprises forming reference data based on an invariant portion of the Web service message and including the reference data in the reduced message.

Multer explicitly teaches the limitations as disclosed above except for the limitations of:

forming the reduced message comprises forming reference data based on an invariant portion of the Web service message and including the reference data in the reduced message.

The general concept of transferring a variant and invariant portion of a web service message, is well known within the art as illustrated by Kuznetsov which discloses the use of using web services to transfer data, (Kuznetsov , column 12, lines 56-62), and falls within the realm of common knowledge as obvious design optimization.

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Multer to include the use of transferring a variant and invariant portion of a web service message as taught by Kuznetsov in order to make use of the well known concept of transferring a variant and invariant portion of a web service message as stated in claim 8.

In reference to claim 10, Multer teaches the method as disclosed in claim 7:

Multer explicitly teaches the limitations as disclosed above except for the limitations of:

the reference data comprises a binary representation of the invariant portion.

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The general concept of a binary representation of the data, is well known within the art as illustrated by Kuznetsov which discloses the use of binary representation of the data, (Kuznetsov , column 17, lines 59-63), and falls within the realm of common knowledge as obvious design optimization and to increase data transfer during network element connections.

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Multer to include the use of binary representation of the data as taught by Kuznetsov in order to make use of the well known concept of binary representation of the data as stated in claim 10.

13. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Multer et al. (US Patent Application No. 2002/0040369) in view of Muthuswamy et al. (US Patent No. 6,606,525).

In reference to claims 8, Multer teaches the method as disclosed in claim 7:

Multer explicitly teaches the limitations as disclosed above except for the limitations of:

forming the reduced message comprises forming reference data based on an invariant portion of the Web service message, (Multer, Paragraph 0064, lines 11-13) and including the reference data in the reduced message.

Multer explicitly teaches the limitations as disclosed above except for the limitations of:

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forming the reduced message comprises forming reference data based on an invariant portion and including the reference data in the reduced message.

The general concept of transferring a variant and invariant portion of data, is well known within the art as illustrated by Muthuswamy which discloses the use of transferring data, (Muthuswamy , column 1, lines 32-37), and falls within the realm of common knowledge as obvious design optimization.

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Multer to include the use of transferring a variant and invariant portion of data as taught by Muthuswamy in order to make use of the well known concept of transferring a variant and invariant portion of a message as stated in claim 8.

In addition, in reference to claim 9, which further comprises:

forming the reproduction of the Web service message comprises forming the reproduction of the Web service message from a reproduction of the invariant portion of the Web service message.

The general concept of the reproduction of the data, is well known within the art as illustrated by Muthuswamy which discloses the use of reproduction of the data, (Muthuswamy , column 2, lines 56-64), and falls within the realm of common knowledge as obvious design optimization.

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Multer to include the use of the reproduction of the data as taught by Muthuswamy in order to make use of the well known concept of the reproduction of the data as stated in claim 9.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Goodchild whose telephone number is (571) 274-1589. The examiner can normally be reached on Monday - Friday / 8:30 AM - 5:00 PM EST, with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Jules can be reached on (571) 272-6681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William J Goodchild
Examiner
Art Unit 2109

WJG
03/15/2007

FRANTZ JULES
SUPERVISORY PATENT EXAMINER

